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Planning Commission Staff Report

TO: PLANNING COMMISSION

FROM: NATHAN WILLIAMS, PLANNER II *NW*
(480) 503-6805, NATHAN.WILLIAMS@GILBERTAZ.GOV

THROUGH: CATHERINE LORBEER, AICP, PRINCIPAL PLANNER *ajl*
(480) 503-6016, CATHERINE.LORBEER@GILBERTAZ.GOV

MEETING DATE: MARCH 5, 2014

SUBJECT: Z14-04: REQUEST TO AMEND ORDINANCE NO. 1032 TO REMOVE APPROXIMATELY 4 ACRES OF REAL PROPERTY GENERALLY LOCATED SOUTH AND WEST OF THE SOUTHWEST CORNER OF HIGLEY ROAD AND ELLIOT ROAD FROM THE CIRCLE G HIGLEY RANCH PLANNED AREA DEVELOPMENT (PAD) AND TO REZONE SAID REAL PROPERTY FROM TOWN OF GILBERT SINGLE FAMILY- 35 (SF-35) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT OVERLAY ZONING DISTRICT TO CONVENTIONAL SINGLE FAMILY- 35 (SF-35) ZONING DISTRICT.

STRATEGIC INITIATIVE:

Community Livability

Allow for a diversity of housing product types, development standards and lot coverage on the subject site and adjacent to existing residential uses.

RECOMMENDED MOTION

FOR THE REASONS SET FORTH IN THE STAFF REPORT, MOVE TO RECOMMEND APPROVAL TO THE TOWN COUNCIL FOR Z14-04, AS REQUESTED, SUBJECT TO THE CONDITIONS LISTED IN THE STAFF REPORT.

APPLICANT/OWNER

Bob Long
Design Profile Inc.
427 W. 15th Street
Mesa, AZ 85201
V: 480-461-8810
Plans@designprofile.com

Multiple Property Owner's

BACKGROUND/DISCUSSION

History

<i>Date</i>	<i>Action</i>
April 29, 1997	Town Council approved an Ordinance No. 1027 for Case No. A97-02 to annex an approximate 57.39 acre site to the Town of Gilbert for the Circle G Higley Ranch PAD.
May 13, 1997	Town Council approved an Ordinance No. 1032 for Case No. Z96-32 to rezone an approximate 57.39 acre site to Town of Gilbert SF-35 and SF-15 zoning districts with a PAD for the Circle G Higley Ranch PAD

Overview

The proposed rezoning consists of approximately 4 acres located within the existing Circle G Higley Ranch PAD (Circle G at Highlands West subdivision) located south and west of the southwest corner of Higley Road and Elliot Road. The existing use of the site is four (4) residential lots that have been improved within the Circle G at Highlands West subdivision. The proposed zoning will remove the four (4) residential lots from the setback and lot coverage restrictions of Circle G Higley Ranch PAD and implement the Town's existing Single Family – 35 (SF-35) development standards to allow the existing property owners of the four (4) applicable parcels to continue to develop their properties. The existing General Plan land use classification for the property is Residential > 1-2 DU/ Acre.

Surrounding Land Use & Zoning Designations:

	Existing Land Use Classification	Existing Zoning	Existing Use
North	Residential > 1-2 DU/Acre	SF-35 PAD	Higley Estates subdivision
South	Residential > 2-3.5 DU/Acre	SF-10 PAD	Undeveloped residential land
East	Residential > 1-2 DU/Acre	SF-35 PAD	Circle G at Highlands West subdivision
West	Residential > 0-1 DU/Acre	SF-43	Sawyer Estates Subdivision
Site	Residential > 1-2 DU/Acre	SF-35 PAD	Circle G at Highlands West

Single Family-35 (SF-35) District

The existing PAD development standards are compared below with the proposed conventional Single Family-35 (SF-35) zoning contained in the LDC.

Development Standard	Existing under Ord. No. 1032: Single Family-35 (SF-35) PAD	Proposed under Z14-04: Single Family-35 (SF-35) per LDC
Minimum Lot Area	43,560 sq. ft.	35,000 sq. ft.
Minimum Lot Dimensions Width Depth	145' 150'	140' 150'
Maximum Building Height (ft./stories)	35'/2	35'/2
Minimum Setbacks (ft.) Front Side Rear	40' 30'/ 20' (streetside) 40'	40' 20'/ 20' 40'
Maximum Lot Coverage (%) One Story Two/Three - story	25% 25%	30% 30%
Street Frontage Landscaping	Per Article 4.3: Landscape Regulations	Per Article 4.3: Landscape Regulations
Off-Street Parking and Loading	Per Article 4.2: Off-Street Parking and Loading	Per Article 4.2: Off-Street Parking and Loading
Exterior Lighting Standards	Per Section 4.103: Lighting Standards	Per Section 4.103: Lighting Standards

Compliance with the General Plan

The proposed request to rezone of four (4) lots (lots 20, 21, 26 and 27) of the subject site, Circle G Higley Ranch PAD/ Circle G at Highlands West subdivision, which consists of 81 total lots zoned both SF-35 and SF-15 PAD and nearly completely developed with existing residential homes. The land use designation for the entire subdivision is Residential > 1-2 DU/ Acre and this overall density will not change nor will the lot size or the lot dimensions. As such, the proposed rezoning request from SF-35 PAD to conventional SF-35 zoning district will continue to be in compliance with the Town's General Plan.

Rezoning

The effect of the rezoning will be to allow the four (4) existing residential lots (4 acres) of real property to be developed subject to the development standards for the Single Family- 35 (SF-35) zoning district as set forth in the Land Development Code and remove the existing modifications of development standards related to setbacks and lot coverage within the Circle G Higley Ranch PAD.

PUBLIC NOTIFICATION AND INPUT

A notice of public hearing was published in a newspaper of general circulation in the Town, and an official notice was posted in all the required public places within the Town.

Staff has received no comment from the public.

SCHOOL DISTRICT COMMENTS

Not applicable.

PROPOSITION 207

An agreements to “Waive Claims for Diminution in Value” Pursuant to A.R.S. § 12-1134 was signed by the landowners of the subject site, in conformance with Section 5.201 of the Town of Gilbert Land Development Code. These waivers are located in the case file.

REASONS FOR THE RECOMMENDATION

1. The proposed zoning amendment conforms to the General Plan as amended, any applicable Specific Character Area, neighborhood, or other plan and any overlay zoning district.
2. All required public notice has been conducted in accordance with applicable state and local laws.
3. All required public meetings and hearings have been held in accordance with applicable state and local laws.
4. The proposed rezoning supports the Town’s strategic initiative for Community Livability. It supports the motto “Gilbert: Clean, Safe, Vibrant.”

STAFF RECOMMENDATION

For the following reasons: the development proposal conforms to the intent of the General Plan and can be coordinated with existing development of the surrounding areas, and all required public notice and meetings have been held, the Planning Commission moves to recommend approval to the Town Council for Z14-04, a request to amend Ordinance No. 1032 to remove approximately 4 acres of real property generally located south and west of the southwest corner of Higley Road and Elliot Road from the Circle G Higley Ranch Planned Area Development (PAD) and to rezone said real property from Town of Gilbert Single Family- 35 (SF-35) zoning district with a Planned Area Development overlay to conventional Single Family- 35 (SF-35) zoning district.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'N. Williams', is positioned above the printed name.

Nathan Williams
Planner II

Attachments:

1. Notice of Public Hearing Map
2. Aerial Photo (2 pages)
3. Project Narrative (3 pages)
4. Zoning Exhibit

Notice of Public Hearing

Z14-04

Attachment 1: Notice of Public Hearing Map
March 5, 2014

PLANNING COMMISSION DATE:

TOWN COUNCIL DATE:

LOCATION: Gilbert Municipal Center, Council Chambers
50 E. Civic Center Drive
Gilbert, Arizona 85296

Wednesday, March 5, 2014* TIME: 6:00 PM

Thursday, March 27, 2014* TIME: 7:00 PM

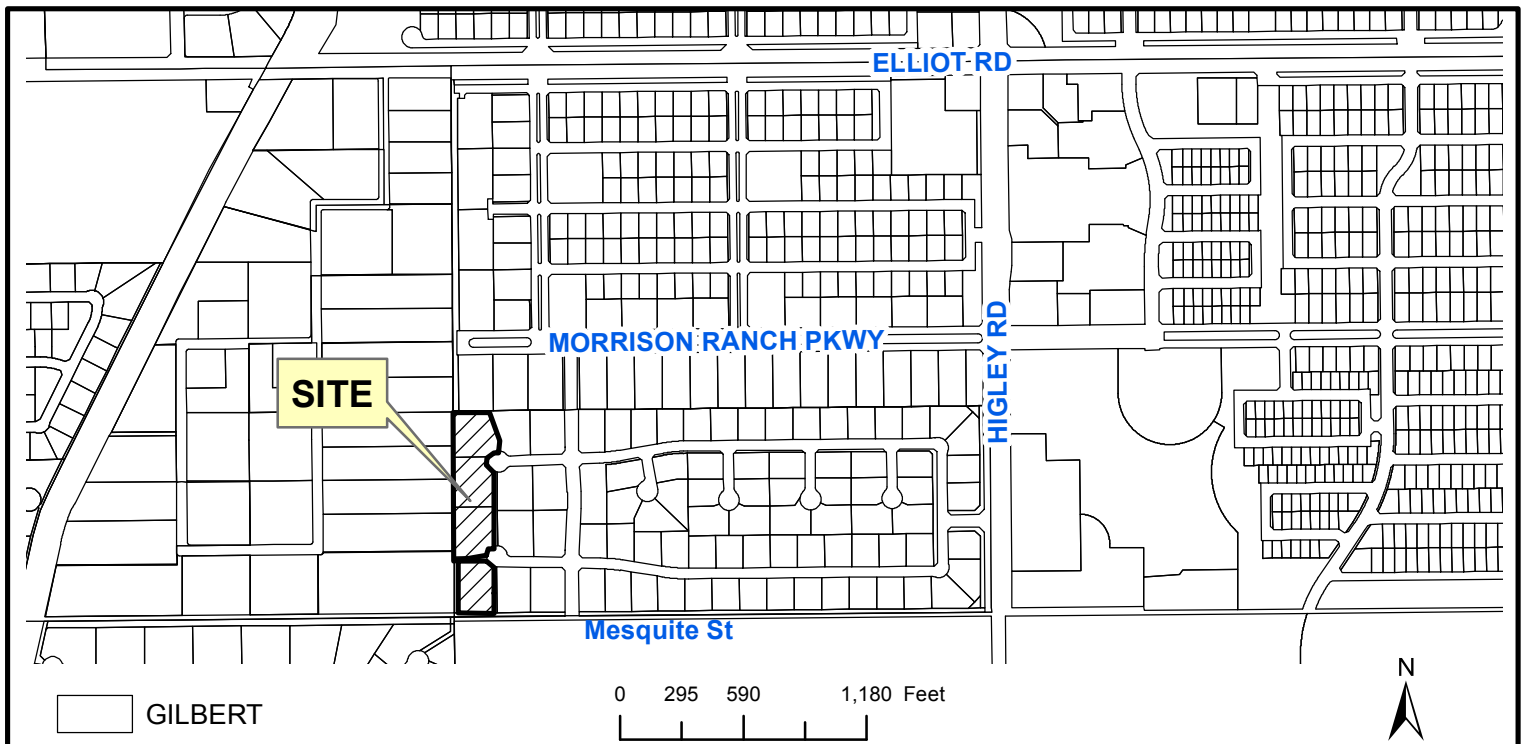
*** Call Planning Department to verify date and time: (480) 503-6700**

REQUESTED ACTION:

Z14-04: Request to amend Ordinance No. 1032 to remove approximately 4 acres of real property generally located south and west of the southwest corner of Higley Road and Elliot Road from the Circle G Higley Ranch Planned Area Development (PAD) and to rezone said real property from Town of Gilbert Single Family- 35 (SF-35) zoning district with a Planned Area Development overlay zoning district to Single Family- 35 (SF-35) zoning district, as shown on the exhibit, which is available for viewing in the Planning and Development Services Office. The effect of the rezoning will be to allow the real property to be developed subject to the development standards for the Single Family- 35 (SF-35) zoning district as set forth in the Land Development Code and remove modification of development standards related to setbacks and lot coverage.

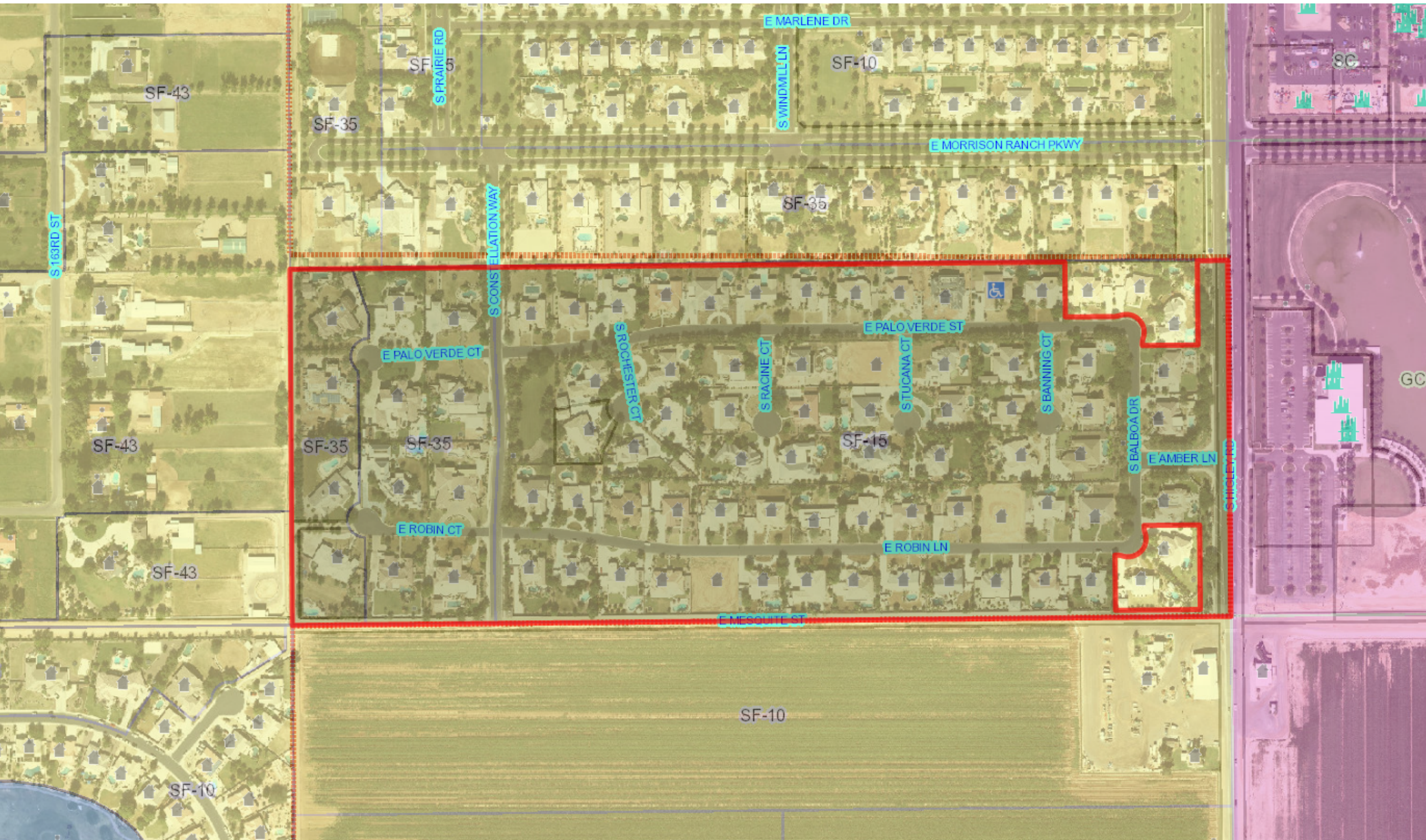
* The application is available for public review at the Town of Gilbert Development Services division Monday - Thursday 7 a.m. - 6 p.m.

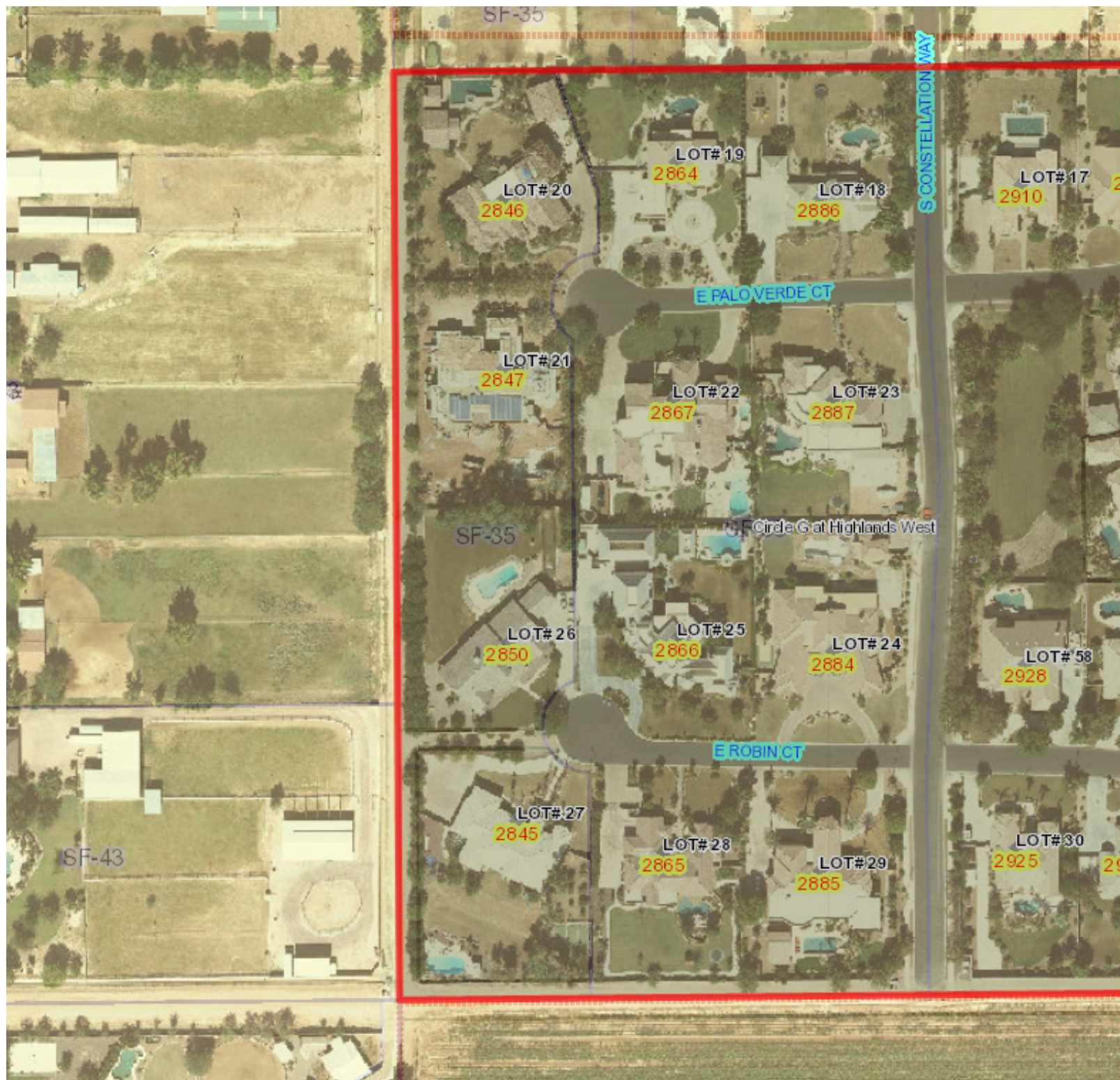
SITE LOCATION:



APPLICANT: Design Profile, Inc.
CONTACT: Bob Long
ADDRESS: 427 West 5th Street,
Mesa, AZ 85201

TELEPHONE: (480) 461-8810
E-MAIL: plans@designprofile.com





Re-Zoning Project Narrative

The properties on the west end of the Circle G Development are currently under a more restrictive zoning classification than other similar properties in the Town of Gilbert. These 4) properties known as:

- Assessor's Parcel Number 304-20-062

2846 E. Palo Verde Ct.

- APN 304-20 -063

2847 E. Palo Verde Ct.

- APN 304-20-068

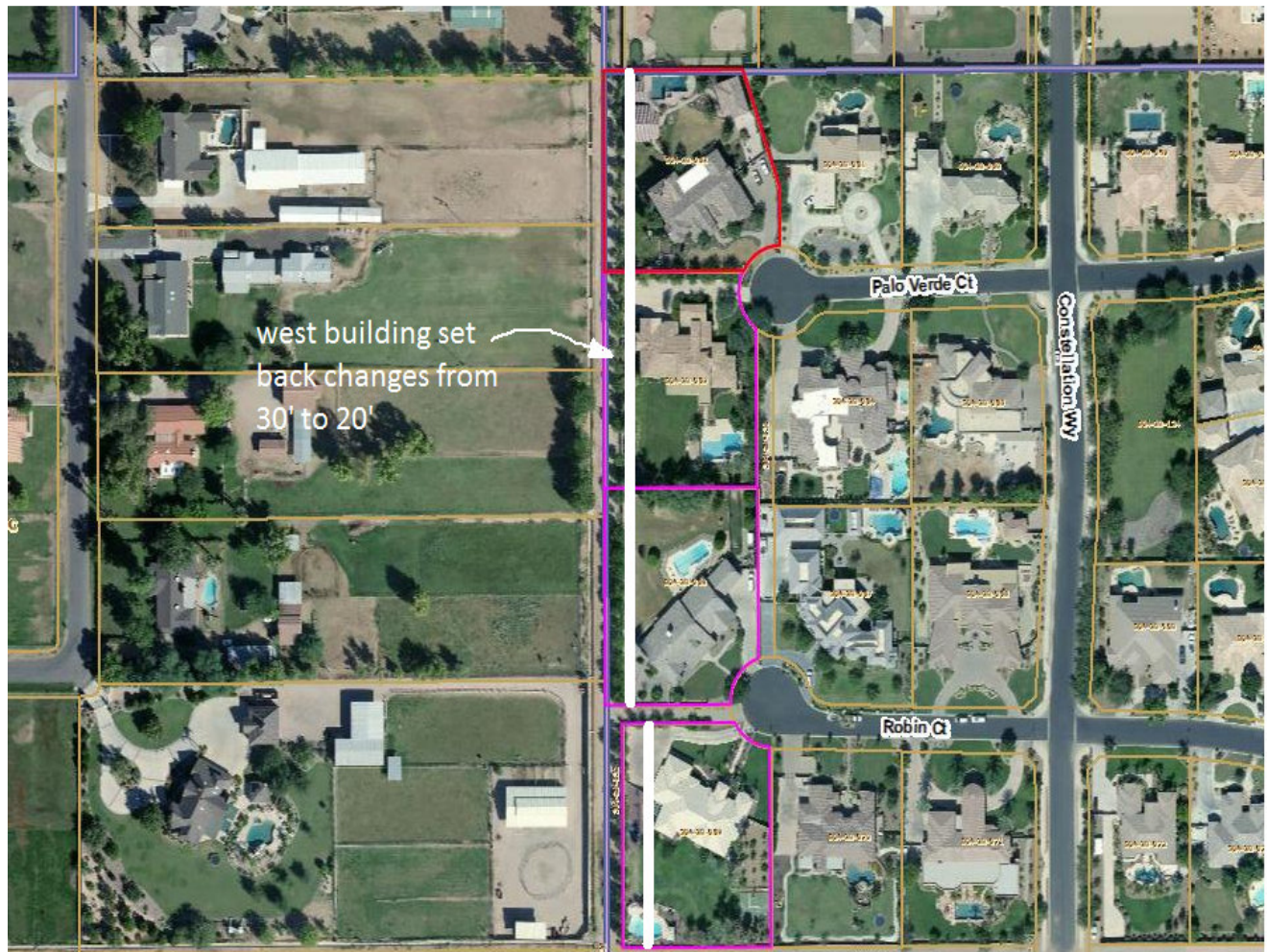
2850 E. Robin Ct.

- APN 304-20-069

2845 E. Robin Ct.

It is proposed that these 4) properties be submitted for re-zoning consideration to allow them the same rights and privileges as similarly sized properties within the Town of Gilberts' SF-35 zoning classification, and be removed from the SF-35PAD zoning.

The existing restriction consists of an increased side yard setback to the west and a lower limit for the allowable under roof coverage. The 4) properties currently must have a 30' setback for all construction from the west property line; standard zoning would only require a 20' building setback. The allowable coverage for these properties is 25% allowed under roof, standard SF-35 zoning would allow for 30% coverage.



The reduced building setback would allow construction to be within 20' of the property line, however for the lots along the equestrian easement there is still a 5' setback from the easement, but construction could occur closer to the west side property line than currently allowed.

The limitation of lot coverage at 25% limits the amount of roof coverage that is allowed. Increasing the allowable coverage to 30% would allow the opportunity to add to the existing structure, or add gazebos, covered patios, pool houses, guest houses, etc. which currently might not be permitted, depending on the size of the existing structure.

The re-zoning will not remove the properties from the Circle G Homeowners Association, and should enhance the value of all properties due to the ability to increase square footage totals, or at least make it comparable to similarly zoned properties within the Town of Gilbert.

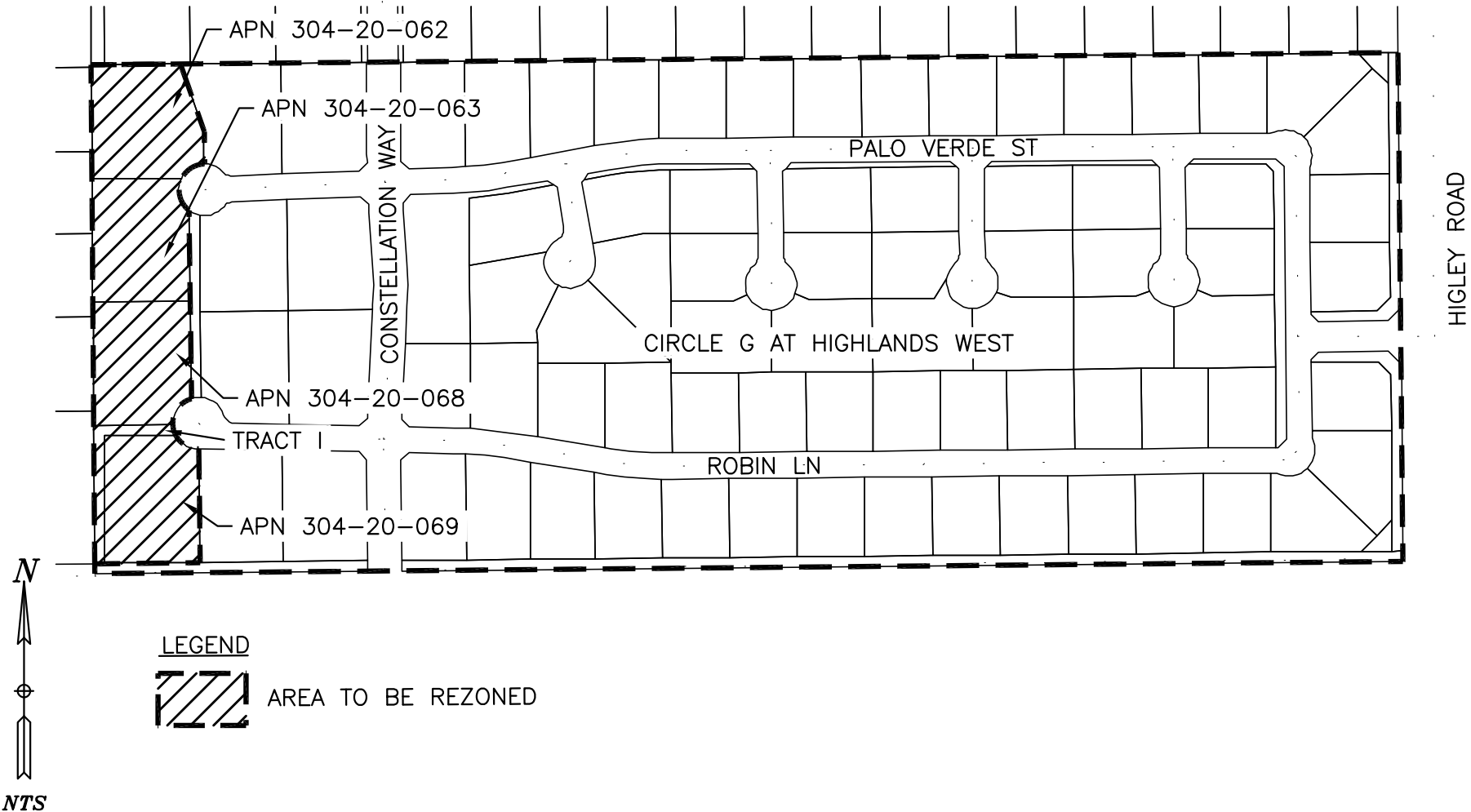
The request for re-zoning is being brought to the Town of Gilbert by the property owners in order to accommodate the possibility of remodel and addition projects currently ongoing, or proposed at some future date, and to bring these 4 properties up to par with the standard Town of Gilbert SF-35 Zoning. The 4 properties are involved because each of them have the same restrictions that only exist for these 4 properties, being on the perimeter of the Circle G development, therefore the Town officials request that the system rectify the inequity of all the affected parcels.

As the Applicant for the re-zoning with the town and as the agent for the property owners, I would be happy to clarify any questions that you may have regarding this matter. Please feel free to contact me:

Bob Long – Design Profile, Inc.

480-461-8810 office, 602-541-6150 mobile

427 W. 5th Street, Mesa Az. 85201 plans@designprofile.com



SITE / ZONING DATA	
GROSS AREA TO BE RE-ZONED	4.033 ACRES 175,660 S.F.
EXISTING LAND USE	SINGLE FAM. RES.
PROPOSED LAND USE	SINGLE FAM. RES.
EXISTING ZONING	SF-35 PAD
PROPOSED ZONING	SF-35



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 engineering

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CIRCLE G AT HIGLEY RANCH

JOB NUMBER	14-003	DRAWING	SITE EXHIBIT
		DATE	02-20-14